UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA CHARLESTON DIVISION

Marshall Austin,)
Plaintiff,) Case No.: <u>2:23-cv-2899-RMG</u>)
v.)
Charleston Day School ("CDS"); Emmie G. Hershey; Judith Foley Arnstein.)))

PLAINTIFF'S RESPONSES TO LOCAL RULE 26.01 INTERROGATORIES

Plaintiff Marshall Austin, by and through his undersigned counsel, answers the Local Rule 26.01 Interrogatories of the Court as follows:

Interrogatory A: State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of that interest.

Answer: None known to Plaintiff.

Interrogatory B: As to each claim, state whether it should be tried jury or nonjury and why.

Answer: The Complaint sets forth a retaliation claim under the False Claims Act (31 U.S.C. § 3730(h)) and should be tried to a jury.

Interrogatory C: State whether the party submitting these responses is a publicly-owned company and separately identify (1) any parent corporation and any publicly-held corporation owning ten percent (10%) or more of the party's stock; (2) each publicly-owned company of which

it is a parent; and (3) each publicly-owned company in which the party owns ten percent (10%) or

more of the outstanding shares.

Answer: Plaintiff is not a publicly owned company.

Interrogatory D: State the basis for asserting the claim in the division in which it was filed

(or the basis of any challenge to the appropriateness of the division). See Local Civ. Rule 3.01

(D.S.C.).

Answer D: Venue is appropriate in the Charleston Division because defendants reside in

the Charleston Division and a substantial part of the events or omissions giving rise to the claim

occurred in the Charleston Division. See Local Civ. Rule 3.01(A)(1) (D.S.C.).

Interrogatory E: Is this action related in whole or in part to any other matter filed in this

district, whether civil or criminal? If so, provide: (1) a short caption and the full case number of

the related action; (2) an explanation of how the matters are related; and (3) a statement of the

status of the related action. Counsel should disclose any cases which may be related regardless of

whether they are still pending. Whether cases are related such that they should be assigned to a

single judge will be determined by the clerk of court based on a determination of whether the cases

arise from the same or identical transactions, happenings, or events; involve the identical parties

or property; or for any other reason would entail substantial duplication of labor if heard by dif-

ferent judges.

Answer: Plaintiff is unaware of any related matters in this District.

[Signature Page Follows]

Respectfully submitted by: **LAW OFFICE OF BILL NETTLES** *Attorneys for Plaintiff*

/s/William N. Nettles

William N. Nettles (D.S.C. Federal ID No. 6586)
John L. Warren III (D.S.C. Federal ID No. 12164)
2008 Lincoln Street
Columbia, South Carolina 29201
Telephone: (803) 814-2826

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